

REMARKS

In the Office Action,¹ the Examiner objected to claims 1-15 for informalities, and rejected claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,914,701 to Gersheneld et al. ("*Gersheneld*").

By this Amendment, Applicant has amended claims 1-15 solely to clarify the claim language. Applicant respectfully traverses the rejection and requests reconsideration and allowance of the pending claims for at least the following reasons.

Objection to Claims 1-15

The Examiner objected to claims 1-15 for alleged informalities. Office Action, p. 2. In response, Applicant has amended claims 1-15 to clarify the claim language. Applicant respectfully submits that the amendments address the Examiner's concern and respectfully requests withdrawal of the objection.

Rejection of Claims 1-15 under 35 U.S.C. § 102(b)

Applicant respectfully traverses the rejection of claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by *Gersheneld*. In order to properly establish that *Gersheneld* anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236,

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). *Gersheneld* does not disclose each and every element of Applicant's claimed invention.

Independent claim 1 calls for a combination including, for example, "detecting a result of interaction between said quasi-electrostatic field and an electric field corresponding to a potential change caused by a dynamic reaction inside said object" (emphasis added). The Office alleged that *Gersheneld* teaches these elements. Office Action, pp. 2-3. However, this allegation is not correct.

Specifically, *Gersheneld* at best teaches using a "body of [a] user . . . as a conductive node." *Gersheneld*, abstract. *Gersheneld* further teaches that "transmitters [] produce low-frequency, low power signals that . . . pass as displacement currents into and from the body of the user" and "[a] receiver . . . responds to the displacement currents and reproduces the signals." *Gersheneld*, abstract. There is no teaching or suggestion in *Gersheneld* of "a potential change caused by a dynamic reaction inside" the body of the user.

In view of the above, *Gersheneld* does not teach or suggest at least "detecting a result of interaction between said quasi-electrostatic field and an electric field corresponding to a potential change caused by a dynamic reaction inside said object" as recited in claim 1 (emphasis added). Accordingly, *Gersheneld* cannot anticipate claim 1, and claim 1 is allowable.

Independent claims 8, 14, and 15, although different in scope from independent claim 1, recite elements similar to claim 1. Therefore, for reasons similar to those discussed above with respect to claim 1, claims 8, 14, and 15 are also allowable.

Claims 2-7 and 9-13 are also allowable at least by virtue of their dependence from claims 1 and 8, respectfully.

Therefore, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-15 under 35 U.S.C. § 102(b).

CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: December 18, 2009

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